



IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant : Wolf Bertling et al.

Art Unit : 1641

Serial No. : 10/049,693

Examiner : Unsu Jung

Filed : June 17, 2002

Title : METHOD AND DEVICE FOR IDENTIFYING A BIOPOLYMER SEQUENCE
ON A SOLID SURFACE

Mail Stop Amendment

Commissioner for Patents

P.O. Box 1450

Alexandria, VA 22313-1450

RESPONSE TO RESTRICTION REQUIREMENT

Responsive to the Restriction Requirement mailed May 17, 2005, Applicants elect Group I, claims 11-19. Applicants respectfully traverse this requirement for restriction.

The Examiner asserted that Groups I-III (Applicants believe the Examiner meant Groups I-IV) do not relate to a single general inventive concept under PCT Rule 13.1 because, under PCT Rule 13.2, they lack the same or corresponding special technical features because the application contains claims to more than one of the combinations of categories of inventions set forth by 37 CFR §1.475.

All of the claims do, in fact, recite a special technical feature; that being a substrate having a layer with electro-active metal atoms, ions, clusters or complex molecules and further having biopolymers applied. Since all of the claims recite a substrate having such features, Applicants respectfully submit that a search of claims 1-24 (Groups I-IV) would not present an undue burden on the Examiner.

Applicants respectfully request that, at least, claims 11-19 and 24 (Groups I and IV) be examined together. Claims 11-19 (Group I), directed toward a process for identifying an anti-

CERTIFICATE OF MAILING BY FIRST CLASS MAIL

I hereby certify under 37 CFR §1.8(a) that this correspondence is being deposited with the United States Postal Service as first class mail with sufficient postage on the date indicated below and is addressed to the Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

July 7, 2005

Date of Deposit

Signature

Jill Husc

Typed or Printed Name of Person Signing Certificate

Applicant : Wolf Bertling et al.
Serial No. : 10/049,693
Filed : June 17, 2002
Page : 2 of 2

Attorney's Docket No.: 10848-019001 / 412045GA-go

counterfeiting mark that includes the step of applying an anti-counterfeiting mark (i.e., a first biopolymer) to a surface of a first substrate as a layer..., and claim 24 (Group IV), directed toward a first substrate marked with an anti-counterfeiting mark (i.e., a first biopolymer), form a single general inventive concept as required under PCT Rule 13. Searching claims 11-19 and 24 would not unduly burden the Examiner.

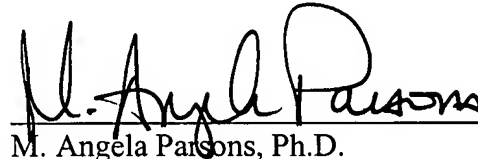
In addition, the Thielecke et al. U.S. patent application cited by the Examiner on page 4 of the Office Action has a PCT Filing Date of August 20, 2002 and claims priority to a German application filed on August 30, 2001. On the other hand, the PCT application corresponding to the instant application was published by the PCT on February 22, 2001. Therefore, the Thielecke et al. application is not available as a prior art reference against the present application.

Please apply any charges or credits to Deposit Account No. 06-1050.

Respectfully submitted,

Date:

July 7, 2005



M. Angela Parsons, Ph.D.
Reg. No. 44,282

Fish & Richardson P.C., P.A.
60 South Sixth Street
Suite 3300
Minneapolis, MN 55402
Telephone: (612) 335-5070
Facsimile: (612) 288-9696